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DEPARTMENT OF STATE

Memorandum of Conversation

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DATE:

June 16, 1958

SUBJECT:

Amendment to Communications Act

PARTICIPANTS:

General Wilton Persons, Deputy Assistant to the President
Mr. Allen Dulles, Director, CIA
Deputy Under Secretary Robert Murphy
Mr. Jack Anderson

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Together with Mr. Allen Dulles, I had breakfast today with General Persons and Mr. Jack Anderson for the purpose of discussing the possibility of legislation at this session of Congress to amend the Communications Act permitting diplomatic missions in Washington, on a reciprocal basis, to operate radio transmitters.

General Persons informed us that he had canvassed the situation again and had found the atmosphere unfavorable to the passage of this legislation at the present session. He had consulted, among others, Nease, Rayburn, Martin and Knowland. While believing that there would be little or no difficulty with people like Oren Harris (House Interstate and Foreign Commerce Committee) or with people such as Senator Magnuson, it would be impossible to have legislation of this character slip through without floor debate. General Persons thought that it would be a distinct risk, that some of the less responsible elements up for reelection this year would try to gain publicity for themselves in a way that would damage chances of passage of the legislation. Conceivable harm to our international relations might also be provoked. It would be difficult in the legislation to distinguish us between certain countries and others.

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General Persons and Mr. Anderson are fully aware of the difficulties involved. We emphasized again the successful manner in which

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General Persons declared himself in agreement. We discussed the possibility that the Federal Communications Commission might conceivably raise the issue; that a violation of American law is involved. Mr. Dulles referred to diplomatic immunity and the right of the diplomatic mission to communicate with its government.

General Persons agreed to canvass the situation further in Congress.

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COMMUNICATIONS ACT OF 1934, AS AMENDED

TITLE III -- PROVISIONS RELATING TO RADIO

Part I -- General Provisions

LICENSE FOR RADIO COMMUNICATION OR TRANSMISSION OF ENERGY

Sec. 301. It is the purpose of this Act, among other things, to maintain the control of the United States over all the channels of interstate and foreign radio transmission;

* * * * *

No person shall use or operate any apparatus for the transmission of energy or communications or signals by radio (a) from one place in any Territory or possession of the United States or in the District of Columbia to another place in the same Territory, possession, or district; or (b) from any State, Territory, or possession of the United States, or from the District of Columbia to any other State, Territory, or possession of the United States; or (c) from any place in any State, Territory, or possession of the United States, or in the District of Columbia, to any place in any foreign country or to any vessel;

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except under and in accordance with this Act and with a license in that behalf granted under the provisions of this Act.

* * * * *

LIMITATION ON HOLDING AND TRANSFER OF LICENSES

Sec. 310. (a) The station license required hereby shall not be granted to or held by --

- (1) Any alien or the representative of any alien;
- (2) Any foreign government or the representative thereof;
- (3) Any corporation organized under the laws of any foreign government;
- (4) Any corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country;

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